

STAFF COMMENTS: 09/14/10

**REMINDER FOR COMMISSIONERS TO STATE THEIR NAME BEFORE SPEAKING.
REMINDER FOR STAFF TO COME TO THE PODIUM WHEN SPEAKING.
REMINDER TO TURN OFF ALL CELL PHONES DURING THE MEETING...**

ITEM 1. ::Review :: Staff comments for the commissions review included herein.

ITEM 2. ::Action Item : Recommendation:: John Willie has presented all the materials on the General Plan for the public lands portion reviewing Section I. Introduction to the General Plan; Section II. General Information regarding Public Lands in Washington County; Section III. The Bureau of Land Management; Section IV. The National Forest; Section V. Zion National Park; Section VI. School and Institutional Trust Lands; Section VII. General Information regarding Private Land in Washington County; and Appendix I. General Analysis of Each Wilderness Area, Community Maps and General Plan Map. This has been properly advertised and effected entities notified. The public hearing was closed and the action item was tabled for further review of comments. The planning commission will need to make facts and findings recommending approval to the County Commission. This will go before the County Commission on September 21, 2010. (See notice posted on the County Web www.washco.utah.gov Under Planning Department.)

ITEM 3. ::Action Item : Recommendation:: This is the 2nd extension review and communication towers are conditionally approved within the OSC-20 zone. As previously reviewed, the applicant submitted a site location plan and photos of a tower located near this site that will be duplicated. The commission addressed exceptions to the height limitations, approving conditionally the extra 96' feet needed for the 196' tower (*Ord. 2001-815-O, 12-17-2001, eff. 12-17-2001*). The application met the requirement for colocation (County Code 10-21-2:B.) and accessory equipment shelters will be reviewed by the Building Department. This application also meets the requirement for a "lattice type" tower and there was no need to create a "fall" zone (County Code 10-21-4). This property is located a great distance from private property or developed areas, with the leased area being 75' x 75' and the tower being centrally located. The applicant will be invited to attend the meeting. (See site plan and minutes included herein)

ITEM 4. ::Action Item : Recommendation:: This is an automatic annual review. As previously reviewed, this is on the slopes south of town and the meadows in this area have a high water table, so the Wittwer family is proposing a private recreation area to build a maximum of five (5) cabins on higher ground. They have one (1) existing cabin, so the total number meets the FR-5 density requirements on 30 acres. The conservancy district letter approved density for septic tanks, which should be issued at the time building permits are obtained. The Pine Valley Water Company has indicated the ability to serve this area. Fire hydrants will need to be located within 250' of these dwellings. As noted before, these types of uses are conditionally approved within the Forest Residential Zone (County Code 10-8A-3). (See site plan and minutes enclosed)

ITEM 5. ::Action Item : Recommendation:: This is an automatic annual review at this location. The planning commission may not need to review this item, whereas this location is

within Virgin Town Limits. The event will be along the Sheep Bridge Road. This event is sponsored by GRO-Promotions for endurance mountain bike racing and will host both a 24 hour and 6 hour race on a 13 mile course. The race will begin at 10 am on Saturday and end at 10 am on Sunday. These types of events are reviewed conditionally at a public meeting to ensure that citizens have the opportunity to comment on the application (County Code 10-18-2 (amended 2008)). The applicant may need a liability insurance policy in place, listing Washington County or Virgin Town as a beneficiary. They are expecting 100 - 24 Hour Event Teams and a total number of 400 people to host. Porta Potties will be based on the numbers in attendance. The applicant has updated their application with SITLA and BLM for this activity. The sheriff's office is working with the applicant to provide deputy services for the event and cell phones will allow for communication to emergency response with Hurricane as the provider. (See routing map, event summary and documentation)

ITEM 6. ::Action Item : Recommendation:: This is an automatic annual review, although previously, this approval lapsed, due to a lack of representation. This is a use which was approved annually since 1990, and runs with the development, until the lots are sold, as it is a project sales office (County Code 10-14-11:A). The manager was invited to attend the meetings previously and the owner assured staff that he would personally be in attendance for an update on the improvement and a time line on lot sales. (See site plan and minutes included herein)

ITEM 7. :: Action Item : Recommendation:: This is an expansion of the 2nd extension and the applicant previously showed there was a need for a staging area in the County and the ideal location is the Bowler property in Veyo, which was previously used by IPP, Kern River and UNEV Pipeline. They a lease agreement with Carl Bowler for the period of one (1) year on an annual basis. In order to have electricity for the office trailer they have submitted an expansion of use to the Bowler arena property approximately one-half mile east of the staging area. (See vicinity map and documentation included herein)

ITEM 8. ::Hearing : No Action:: The WCWCD proposes to install a 19' x 27' concrete filter station building on BLM administered land. The building will house five 14-inch Amiad filters which will remove leaves, sediment, and algae from the irrigation water. This system will not require any chemical treatment. The pad elevation will set at 3449.50 in order to obtain 30 psi at the filter station. This pressure is required in order for the filters to function properly. When the Gunlock Reservoir is at the conservation pool elevation of 3540, less than 24 cfs will be conveyed through the 30" pipe. Public utilities are conditionally approved within the OSC-20 zone (County Code 10-6A-3). (See vicinity map and site plan included herein)

ITEM 9. :: Action Item : Administrative:: The developer has submitted the Pine Valley Estates subdivision for commissions review after almost 4 years of review at the staff level. The platting includes a vicinity map, drainage, description and all other requirements for preliminary approval. All "will serve" letters from utility companies have been submitted and a letter from the Southwest Utah Public Health Department stating feasibility on water and septic. The developer will develop the roads using County Standards, which will inter-loop with access off 3rd West in Pine Valley. An alternative pathway is being considered, other then sidewalks on both sides of the road. (See platting, vicinity map and documentation included herein)

ITEM 10. ::Hearing : No Action:: The commission will need to open for a public hearing as

referenced by State Code, whereas, notice of hearing to consider approval of a subdivision plat amendment was sent by mail to property owners in this subdivision and within a proximity to the property as defined by local ordinance ten days before the hearing (17-27a-207(1)). (See notice and map attached) ***This Item is in conjunction with Item 11 below***

ITEM 11. ::Action Item : Recommendation:: The applicant has submitted an amended plat and public notice was given that the Washington County Land Use Authority will hold a hearing on a subdivision plat, Lava Ridge Subdivision 2nd Amended, to create an additional lot 6A and lot 6B, which meets the requirement of the Zoning Ordinance for at least 1 acre parcels. The rest of the subdivision is to remain the same as shown of the original recorded plat. The applicant has submitted will service letters on power, phone, and water, plus a letter of septic feasibility from the Southwest Utah Public Health Department. (See copy of amended plat and documentation attached)

ITEM 12. :: Action Item : Administrative:: The applicant has submitted a preliminary subdivision plat for the commissions review. The platting includes a vicinity map, drainage, description and all other requirements for preliminary approval. All applicable letters or permits were received at the time the building permit was issued for construction of the home, which was conditionally approved as a 2nd dwelling for a family member. The home has been built and the acre of ground split off in 2006 for lending purposes. A stock certificate from the Pine Valley Mountain Farms Water Company showing one share of water to one lot and the septic tank has been installed, with a copy of the permit from the Southwest Utah Public Health Department being submitted for the file. There is a fire hydrant within 250' of the parcel on the north side of the property with easement through a subdivision parcel and some type of hydrant over the water source on the southeast corner of the lots, which covers the Wildland Urban Interface Codes. The BLM canal road will not be developed to County Standards. ***Since this development does not meet the requirements of the County Subdivision Ordinance, the Planning Commission will need to deny this request.*** There will need to be a zone change at the time of final approval from RA-10 to RA-1. ***This item is in conjunction with the item below.*** (See plat and documentation)

ITEM 13. ::Hearing : No Action:: The commission will need to open a public hearing as referenced by State Code, whereas amending a land use ordinance requires a minimum ten days published notice and 24 hour posting of agenda before other public meetings. ***This item is in conjunction with the item below.*** (See notice attached)

ITEM 14. ::Action Item : Recommendation:: After closing the public hearing, the commission will be acting on the zone change, which has been properly advertised. This zone district is the same as the previous RA (Residential Agricultural zone, whereas, the purpose of this zone is to provide permanent areas for small farms, hobby farms and small agricultural developments (County Code 10-8C-1). The General Plan depicts this area as being transitional to residential zones. The commission will need to make facts and findings. ***This item is in conjunction with the item below.*** (See vicinity/zoning map included herein)

ITEM 15. ::Hearing : No Action:: The commission will need to open for a public hearing as referenced by State Code, whereas, notice of hearing to consider approval of a subdivision plat was sent by mail to property owners within a proximity to the property as defined by local ordinance ten days before the hearing (17-27a-207(1)). There is a requirement for a 24 hour

posting of agenda before other public meetings. ***This item is in conjunction with the item below.***

ITEM 16. ::Action Item : Recommendation:: After closing the public hearing, the commission will review the subdivision plat submitted. This platting includes monumentation, certifications, description and some of the other requirements for final approval (County Code 11-4-2). All letters of approval or stock certificates were submitted for the commissions review. (See plat map and documentation attached) This platting will correct a situation that has occurred, because the owner is being transferred and needs to sell the property. As reviewed with preliminary platting above, the owner will not be able to develop the roads to County Standards. ***Since this development does not meet the requirements of the County Subdivision Ordinance, the Planning Commission will need to deny this request.*** The commission will need to make facts and findings.

ITEM 17. ::No Action:: Staff decisions from the Land Use Authority Staff Meeting two (2) Conditional Use Permits and one (1) Lot Line Adjustment. (Minutes attached)

ITEM 18. ::Action Item: Administrative:: Copy of minutes will be available at the meeting if not included herein.

ITEM 19. Action taken on Planning Items by the Washington County Commission on September 7, 2010, beginning at 4:00 p.m.: (a) Conditional use for 3 RV pads for a private recreational facility at the Peek-a-Boo Ranch, within the OST-20 zone on 57 acres generally located near Brookside... Monte Holm, applicant; and (b) Review of Planning Commission Procedures and Rules Of Order. County initiated.

ITEM 20. General reporting on various topics. Any report or topic under this line item needs to be noticed, as per State Code. **Please schedule items for this agenda line item with the Land Use Authority Office no later than 10:00 a.m. on the 1st and 3rd Wednesdays of each month.**